

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

BRIAN BURNS

Plaintiff,

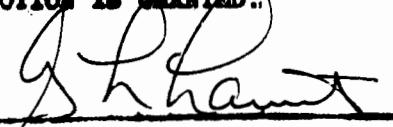
v.

PIZZA HUT OF AMERICA, INC.

Defendant

CIVIL DIVISION
No. 2:05-cv-1191

AND NOW, THIS 26th DAY OF
Febr, IT IS HEREBY
ORDERED THAT THE WITHIN
MOTION IS GRANTED..


GARY L. LANCASTER,
UNITED STATES DISTRICT JUDGE

DEFENDANT'S MOTION IN LIMINE TO BAR
ANY REFERENCE DURING THE TRIAL TO THE BLOOD
CLOT THAT PLAINTIFF DEVELOPED

Defendant Pizza Hut of America, Inc. hereby moves in limine for an order barring any reference during the trial of this action to the blood clot that plaintiff developed. Defendant further moves for an order that any reference to the blood clot in any of the medical records that are entered into evidence at trial be redacted. The grounds for this Motion are as follows:

1. In this action, plaintiff alleges to have slipped and fallen on July 27, 2004 in the Pizza Hut Restaurant located in Wexford, Pennsylvania. He claims to have suffered a fractured patella as a result.

2. Plaintiff had surgery to repair the fractured patella. The medical records reflect that almost one year after the surgery, plaintiff developed a blood clot. During his deposition in this action in July, 2006, plaintiff testified that he was claiming that the blood clot was caused by the surgery and that he was seeking recovery for it in this action.